



PUBLIC NOTICE

Federal Communications Commission
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DA 19-984
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ENFORCEMENT BUREAU CONTINUES 2019 EEO AUDITS

On October 2, 2019, the Enforcement Bureau mailed the third set of Equal Employment Opportunity (EEO) audit letters for 2019. These letters were sent to randomly selected multichannel video programming distributors (MVPDs). MVPDs must submit their audit responses to the Commission by November 18, 2019. The response may be on paper, in the form of a thumb drive, filed in ECFS as a filing in Docket Number 19-279, or sent by e-mail to lewis.pulley@fcc.gov. In accordance with Sections 73.2080(f)(4) and 76.77(d) of the Commission's rules,¹ the Commission annually audits the EEO programs of randomly selected broadcast licensees and MVPDs. Each year, approximately five percent of all broadcast stations and MVPDs are selected for random EEO audits. By Public Notice DA 19-78, released February 15, 2019, by the Media Bureau, and Public Notice DA 19-570, released June 18, 2019, by the Enforcement Bureau, the bureaus announced the mailing of similar audit letters to the broadcast stations listed in the attachments to those Public Notices.

A list of the MVPD units to which these October 2, 2019 audit letters were sent is attached, along with a copy of the audit letter.

Enforcement Bureau Contact: EEO Staff at 202-418-1450.

¹ 47 CFR §§ 73.2080(f)(4) and 76.77(d).

Unit ID No.	Company Name	City/County	State	Spec.
11	Antietam Cable Television, LLC	Washington	MD	TP
11807	Atlantic Broadband, LLC	Preston	WV	LK
12272	Atlantic Broadband	Strafford	NH	TP
931260	Bendcable	Deschutes	OR	TP
961564	Bolt Fiber Optic Services	Craig	OK	LK
2071	Cable One, Inc.	Kay	OK	TP
5302	Cable One, Inc.	Woodbury	IA	TP
6984	Cablevision Systems Corp.	Bronx	NY	YH
12850	Cap Cable, LLC	Buffalo	NE	TP
11971	Cequel Communications, LLC	Cooke	TX	TP
12288	Cequel Communications, LLC	Bourbon	KS	TP
5094	Comcast Corporation	Jackson	MO	YH
11647	Comcast Corporation	Ramsey	MD	YH
11673	Comcast Corporation	Thurston	WA	YH
11937	Comcast Corporation	Johnson	KS	YH
12118	Comcast Corporation	Wayne	MI	YH
9504	Country Cablevision, Inc.	Yancey	NC	TP
10517	Cox Communications Louisiana, Inc.	East Baton Rouge	LA	TP
12834	Eagle Communications, Inc.	Merrick	NE	YH
0001	Giggle Fiber, LLC	Los Angeles	CA	LK
12849	Google Fiber Texas, LLC	Travis	TX	LK
12866	Google Fiber Georgia, LLC	Fulton	GA	LK
1599	Massillon Cable TV, Inc.	Stark	OH	YH
11431	Mediacom Communications Corp.	Linn	IA	LK
1774	Midcontinent Communications	Douglas	KS	LK
1976	Midcontinent Communications	Pennington	SD	LK
12755	Pencor Services, Inc.	Lancaster	PA	LK
11838	RCN Telecom Services, LLC	Mercer	NJ	YH
12280	Shenandoah Cable Television, LLC	Wyoming	WV	YH
10903	Spencer Municipal Utilities	Clay	IA	LK
12182	Telecommunications Management, LLC	Union	IL	LK
12810	Telecommunications Management, LLC	Daviess	IN	LK
10104	Televue, LLC	Lumpkin	GA	TP
12782	Ultra Communications Group, LLC	Caddo	LA	YH
2392	Wave Broadband	Clalam	WA	YH
332448	Western Broadband	Maricopa	AZ	TP

October 2, 2019

Dear Manager:

1. In accordance with 47 CFR § 76.77(d) of the Commission's EEO rules, your employment unit has been randomly selected for an audit of its EEO program. (A copy of section 76.77 and the other rules referred to in this letter are enclosed for your reference.)

2. If your unit is not required under our rules to have an EEO recruitment program due to the size of its full-time workforce because it has fewer than six full-time employees (defined as employees regularly assigned to work 30 hours a week or more), you still must respond to this audit letter. In your response, however, you must provide only a list of the unit's full-time employees, identified only by job title (no names should be provided) and the number of hours each is regularly assigned to work per week, **and a response to question 3(e) below.**

3. **Audit Data Requested.** If the unit employs six or more full-time employees (as defined above), provide the following information in your response to this letter, including an explanation regarding any requested information that you are unable to provide:

(a) The employment unit's most recent EEO program information, described in 47 CFR § 76.1702(b), which should have been placed in the unit's public file by September 30, 2019. If the unit has a website, provide its web address. If the unit's most recent (2019) EEO public file report is not included on or linked to by the website, in violation of 47 CFR § 76.1702(b), provide an explanation of why the report is not so posted or linked to. If the unit does not have its own website, but its corporate site contains a link to a site pertaining to the unit, then the unit's most recent EEO public file report must be linked to either the unit's site or the general corporate site, pursuant to 47 CFR § 76.1702(b).

(b) For each full-time position filled during the period covered by the above EEO program information, or since your acquisition of the unit, if after that period, dated copies of all advertisements, bulletins, letters, faxes, e-mails, or other communications announcing the position, as described in 47 CFR § 76.75(c)(3). However, if you have sent a job notice to multiple sources, you may send us only one copy of each such notice, along with a list of the sources to which you have sent the notice. In addition, indicate in your response whether you retain copies of all notices sent to all sources used, as required by section 76.75(c). Include copies of all job announcements sent to any organization (identified separately from other sources) that has notified the unit that it wants to be notified of unit job openings, as described in 47 CFR § 76.75(b)(1)(ii). Also include the date that each position was filled and the recruitment source that referred the hire, as described in 47 CFR § 76.75(c)(6).

(c) In accordance with 47 CFR § 76.75(c)(5), the total number of interviewees for each vacancy and the referral source for each interviewee for all full-time unit vacancies filled during the period covered by the above-noted EEO program information.

(d) Documentation demonstrating performance of unit recruitment initiatives described in 47 CFR § 76.75(b)(2) during the time period covered by the above-noted EEO program information, such as participation at job fairs, engaging in mentoring programs, and providing training for staff. Specify the unit personnel involved in each such recruitment initiative. Also, provide the total number of full-time employees of the unit and state whether the population of the market in which the unit is located is 250,000 or more. Based upon these two factors, determine and state whether the unit is required to perform one or two initiatives within a 12-month period, pursuant to 47 CFR § 76.75(b)(2).

(e) Disclose any pending or resolved complaints involving the unit filed during the past five years before any body having competent jurisdiction under federal, state, territorial or local law, alleging unlawful discrimination in the employment practices of the unit on the basis of race, color, religion, national origin, age, or sex. For each such complaint, provide: (1) a brief description of the allegations and issues involved; (2) the name(s) of the complainant and other persons involved; (3) the date of the complaint's filing; (4) the court or agency before which it is pending or was resolved; (5) the file or case number; and (6) the disposition and date thereof or current status. Note that all complaints must be reported, regardless of their status or disposition.

(f) In accordance with 47 CFR § 76.75(f), describe the unit's efforts to analyze its recruitment program to ensure that it is effective in achieving broad outreach and how the unit has addressed any problems found as a result of such analysis.

(g) In accordance with 47 CFR § 76.75(g), describe the unit's efforts to analyze its EEO policies and employment practices to examine seniority, promotions, pay, benefits, selection techniques, and tests to ensure that they provide equal opportunity and do not have a discriminatory effect, and if the unit has one or more union agreements, describe how the unit cooperates with each union to ensure EEO policies are followed for the unit's union-member employees and job applicants. Address any problems found as a result of this 47 CFR § 76.75(g) analysis and how the unit has resolved them.

4. **Procedures.** Direct your response to EEO Staff, Investigations & Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554. The response must be received by the Commission by November 18, 2019. The accuracy and completeness of the response must be certified to by an authorized officer, partner or other principal of the owner of the unit. The response may be on paper, in the form of a thumb drive, filed in ECFS as a filing for Docket Number 19-279, or sent by e-mail to lewis.pulley@fcc.gov. To knowingly and willfully make any false statement or conceal any material fact in response to this audit is punishable by fine or imprisonment (*see* 18 U.S.C. § 1001; *see also* 47 CFR § 1.17), and/or forfeiture (47 U.S.C. § 503). Absent an extension of time, failure to respond to this audit letter by the above deadline is also punishable by sanctions in accordance with 47 CFR § 76.77(f) and may result in a certification that the unit is not in compliance for 2019 with the Commission's EEO rules. Extensions of time must be requested in writing (or e-mail sent to lewis.pulley@fcc.gov) and will be granted only upon a showing of extraordinary circumstances.

5. In accordance with 47 CFR § 76.79, a copy of this letter and your response will be placed in the Commission's public file for the unit. In addition, if you choose to file your response in ECFS, please note that you will be filing a document into an official FCC proceeding. All information submitted, including names and addresses, will be publicly available online upon filing the information. Accordingly, please do not include personal information in your submission, such as social security numbers, home addresses, or other personally identifiable information. We do not require that units retain such information in their records, or that such information be provided in response to this audit letter. Should you have any questions, please contact the EEO Staff at (202) 418-1450. Thank you for your cooperation.

Sincerely,

Lewis C. Pulley
Assistant Chief, Investigations & Hearings Division
Enforcement Bureau

Enclosure